



**DRAFT MINUTES OF THE ORDINARY MEETING OF THE PARISH COUNCIL
HELD ON
MONDAY 3RD AUGUST 2020 AT 7.30PM.**

114/20 To record those present and list of apologies

Those Present: Councillors: K Lamb (Chairman), G Clements, B Swan, C Stanyon, S Peall, K Allen, C Chapman.

Apologies: Councillors: E Arnold Newing (Vice Chair) and K Scott.

115/20 To declare any Disclosable Pecuniary Interests (DPI), Other significant Interests (OSI's) or a Voluntary interest relating to items on the agenda.

None were Declared.

116/20 To note and agree minutes of *(will be signed in person by the Chairman at the next available opportunity.)*

- 1) The minutes of the Ordinary meeting of the Parish Council of 6th July were **agreed** and are to be **signed as a true record** by the Chairman of meeting at the next available opportunity.
- 2) The minutes of the Wellbeing Committee meeting of 29th July 2020 were **agreed** and are to be **signed as a true record** by the Chairman of meeting at the next available opportunity.

117/20 Chairman's Report

Telecomms – It was previously agreed by the Parish Council to support in principle the pre -planning consultation at Lickpot Hill, as the location was the better of the options put forward, providing increased connectivity for a good proportion of the village.

However, “Connect Elham” have written to the telecom provider expressing concern regarding the benefit of the proposed mast at Lickpot Hill and the coverage it provides.

Parishioners have raised their concerns about who is behind “Connect Elham” and why they are now objecting to this application.

Therefore, for transparency, we have asked Connect Elham to let us know who its members are. It is difficult to accept anonymous groups campaigning or writing on behalf of the Parish. I understand that a telecoms mast is a contentious subject and that people may be reluctant to be visible but with something as important as this openness and transparency is necessary.

A member of Connect Elham responded that they understand why transparency is necessary but there are members of Connect Elham who are fearful of making themselves known “The difficulty is that whilst we would prefer to be transparent, we need to respect members personal circumstances, it would be a betrayal if we were to divulge their information. As a group we are happy to reveal the information of the members who have given their permission. I will liaise with the group members to see if they are happy for the next article to be signed off by myself rather than anonymously.”

The Chairman concluded that a sensible solution to this would be to have a Parish Council Telecomms Committee that is clearly visible and accountable to the parish population that can liaise with the telecomms providers on behalf of the parish. There will be an agenda item at the September Ordinary meeting of the Parish Council for this.

Churchyard – Following a raft of complaints regarding the construction work being carried out I called a meeting at the churchyard this week with the churchwarden, builders and a member of Elham Historical Society. It is the Parish Councils responsibility (along with others) to ensure that the churchyard is safe for the public and that works are carried out in a safe and responsible manner.

At the meeting, we discussed the areas of concern with the building contractor and churchwarden and it was agreed that the area would be kept tidy and safe for members of the public, that materials and building waste would not be stored on top of the graves and memorial stones, and at the end of the day barriers will be erected. There is an agenda item later in the proceedings to discuss this meeting and the churchyard in general in more depth.

We have finally received confirmation that the lease to The Gore has been registered at Land Registry.

We have received a thank you letter from the Elham Primary School for the donation of £350 towards the purchase of PPE to allow the school to get back to work as lock down eased.

118/20 Public Contribution

A member of the public advised the room that they had received correspondence advising that FHDC had received the Inspector’s Report on the Examination of the Places and Policies Local Plan on 26th June 2020.

“I note that the inspector’s conclusion is that the plan is not adopted at this time, so the saved policies in the Shepway District Local Plan (2006) remain as current planning policy, alongside the Shepway Core Strategy (2013). F&HDC now need to make the modifications requested by the inspector and, presumably, submit the plan again to the inspector for final approval.

There are two sections that may be of interest and benefit Elham:

Business Employment - When an employment business wants to be sold as no longer a viable business, the plan did say that it would need to be marketed for a period of 6 months. The Inspector has said that must be marketed for 12 months and that a marketing strategy should be agreed in advance by the Local Planning Authority and

should demonstrate that the property was marketed at a price and associated terms that are commensurate with market values with evidence of at least three recent transaction from comparable businesses, it should be accompanied with marketing particulars and expressions of interested received and full details why the offer was not accepted.

Parking - there are parking standards but it says that they need to take into account local circumstances and provide an assessment of how the proposed scheme impacts on adjoining on street resident parking. This is very important as the knock-on effect to the rest of the village would need to be considered.

There are other changes, but I recommend that Cllrs look at the report from the Inspector and the Main Modifications.”

A member of the public wanted to say that Connect Elham have been doing a great job in terms of the new phase of keeping the public updated. “I was unaware that the members of Connect Elham had not made themselves known, I don’t think you can have a community group where members are not prepared to put their name out there, I would worry that the group could end up back at square one as people could say for example they don’t know what the agenda is behind this is. How do these unknow people have the right to speak for the community when they don’t even tell us who they are. Maybe I could join Connect Elham to understand how it works and to add to the transparency?”

119/20 Planning

- 1) The receipt of received applications was **noted** and comments **agreed**:
20/0833/FH - Mayfield, Cherry Gardens, Elham, - Crown reduction of a sycamore subject of Tree Preservation Order no. 16 of 1994. **Resolved: No objections / comments.**
20/0528/FH - Briar Gate, White House Lane, Rhodes Minnis - demolition of existing detached bungalow and erection of new detached house on footprint of existing house. **Resolved: No objections / comments.**
20/1026/FH/TCA- Updown Cottage, The Row, Elham - Felling of an Ash tree situated within a conservation area. **Resolved: No objections / comments.**
- 2) To **note** receipt of received application since the agenda was issued and **agree** comments.
None were received.
- 3) The decisions made by Elham Parish Council prior to the meeting due to FHDC deadline and no extension granted were **noted**:
20/0779/FH – Sleepers Cottage, The Halt, Duck Street, Elham - Erection of a two storey detached dwelling amendments to design for previous approved application (Y19/0988/FH) **Resolved: No objection / comments.**
20/0859/FH -New Road, Elham - works to trees covered by TPOs. **Resolved: No objections / comments.**
- 4) Decisions made by Folkestone and Hythe District Council were **noted**:
20/0518 – Church Walk, Pound Lane, Elham - Replacement of existing timber fascias and soffits with brown UPVC fascias and soffits to match existing and the replacement of black UPVC rainwater goods with new black stormflo UPVC rainwater goods – **Approved with conditions.**

20/0692 & 20/0591 – Updown Cottage, The Row, Elham - Conversion of existing conservatory to include new roof & brickwork modifications – **Approved with conditions.**

20/0652 – Hornsdown Cottage, The Row, Elham - Conversion of roof space and extension to an existing garage building – **Approved with conditions.**

20/0166/CM – Abbots Fireside, High Street, Elham – Following on for the July meeting, the following update received from FHDC Enforcement Officer was read to the room:

My visit revealed that much of the works undertaken are associated with the redecoration of the property, are minor in nature and would not require listed building consent.

However, after my visit I reviewed images of the inside of the property available online and became concerned to note that it appears a bar has been removed and a new bar installed. Therefore, I have advised the owners that I believe that works have been undertaken without the required listed building consent and therefore a criminal offence may have been committed. I have also advised the owner to now consider either reversing the removal of the bar and installation of a new bar (if that is now possible) or making a listed building application for them. Please note that should the owner not pursue either of these options, or should, after the assessment of a listed building application, the works be deemed to be inappropriate for the listed building, the Council can take formal enforcement action.

Please note that if any of your members are able to provide photographs or other evidence of the arrangement of the interior of the property prior to the new owner taking over, I would appreciate receiving copies.

Regards

Senior Planning Enforcement Officer

120/20 Finance

- 1) The 2019-2020 Internal Auditor Report has been reviewed and it was **agreed** that no action was required.
- 2) It was **agreed** that the May 2020 accounts were a **true record** and are to be **signed** by the Chairman of meeting at the next available opportunity.
- 3) It was **agreed** that the June 2020 accounts were a **true record** and are to be **signed** by the Chairman of meeting at the next available opportunity.
- 4) It was **agreed** the Bank Reconciliation from May 2020 was a **true record** and are to be **signed** by the Chairman of meeting at the next available opportunity.
- 5) It was **agreed** the Bank Reconciliation from June 2020 was a **true record** and are to be **signed** by the Chairman of meeting at the next available opportunity.
- 6) It was **noted** that all Councillors received the accounts for July 2020.
- 7) It was **noted** that all Councillors received the Bank Reconciliation for July 2020.
- 8) The July 2020 invoices were **agreed**, and payments were **approved**.

121/20 Meeting Calendar

- 1) The revised calendar of meetings for 20/21 was **approved** and is to be **adopted**.

122/20 Community and Amenities Committee

- 1) Following a brief discussion, it was **agreed** to instruct Wraights to fell the Ash tree and the Silver Birch to the North end of the King George V playing field at the agreed cost of £456.00. The remaining works could be carried out by working groups.

It was **agreed** that the quotations received for the new entrance to the King George V would be deferred until a site meeting with KCC Highways had taken place.

- 2) **Play for Elham** – Purely due to the Covid 19 pandemic, Play for Elham have taken the decision not to renew the agreement with Folkestone United to use The Gore for this coming football season. We are hoping that they will return for the next season.

With this in mind, we are now exploring different avenues to have football and other fundraising events at The Gore to recoup the income we are losing from the football team.

We are now in receipt of the ROSPA report for the King George V playpark. We will be arranging a number of working group parties over the next few months to carry out the suggested works.

- 3) **The Gore** - it was **agreed** that a working party would be organised for mid-August to complete the entrance and the works to the pavilion.
- 4) **Burial Ground** - It was **discussed** that the Cllrs would inspect the Burial Ground to revisit the schedule of works produced by Cllr Scott and report back at the September Ordinary meeting of the Parish Council.

123/20 Environment Working Group (EWG)

- 1) Cllr Stanyon has temporarily taken the lead of the EWG. There is an EWG meeting on 9th August. The main thrusts now are gardening for wildlife, a family environment day, King George V, tree planting, carbon footprint reduction and a talk on bees next Spring.

124/20 Wellbeing Committee

Thank you to County Councillor Susan Carey for the generous donation of face masks and hand sanitiser to the Elham Wellbeing Group.

There are social gathering coffee mornings utilising The Gore on Tuesdays and Thursdays throughout August, these are a stepping stone from the Friendship Lunches the Church and the ERA organise and are now in conjunction with our Elham Wellbeing Group which has members from the Parish Council, ERA, Play for Elham, the Church and non-group associated residents. They are by invitation to make sure that we are adhering to the current government guidelines.

At the Wellbeing Committee meetings, we are looking at wellbeing as a whole. Our next project will be looking at the younger members of the community especially the children, who are also struggling due to not being at school and seeing the peer group. We want to make sure the Elham Wellbeing Group is for the entire community.

We have been looking at the procedures we have in place should we have a second wave of Covid /lockdown. We need to ensure we have plans in place. We still have a great group of volunteers should they be called upon again.

125/20 County Councillors Report– Susan Carey

KCC faces a budget shortfall for this financial year of twenty million pounds caused by extra costs and lost income as a result of the pandemic. The Government has provided additional funding but not enough. Our extra costs have included Personal Protective Equipment for our staff in frontline roles (particularly social care) and for other public organisations in Kent that have been in need, the construction of a temporary mortuary (not thankfully needed) and new responsibilities in minimising the spread of Covid-19 in care homes. We have also seen a sharp rise in the number of Unaccompanied Asylum Seeking Children arriving in Kent and again, whilst the Government has provided additional and much welcome extra support the arrivals continue to outstrip available resource.

The date for the Kent Test has been moved to Thursday 15 October in recognition of the impact of Covid-19 on schools and pupils. We are still waiting for guidance from Government about how many pupils will be allowed to travel on public bus services from September. The designated school buses are considered less of a risk as the pupils travelling will do so with the same cohort every day.

KCC continues to offer an advice service for businesses and Locate in Kent and Visit Kent are both working to promote buying local and visiting local.

KCC has an emergency service, KSAS which is assisting those in greatest need (hardly ever cash but food and/or furniture and equipment).

Kent's Adult Education services have launched more online services and twelve libraries have re-opened in Kent (one for each district) for a click and collect service and computer access. Social distancing requirements mean these visits must all be pre-booked.

The online booking system for the Household Waste Recycling Centres has been upgraded. You can now book up to a month in advance either online or by phone and the number of slots has increased from 23,000 a week to 32,000. Social distancing is in force and visitors to the HWRC are asked to wear gloves.

Kent's Director of Public Health gives us regular updates and receives information about where new cases are identified. He says nowhere in Kent has anything like the number of cases that Leicester has had and whilst he has the powers to implement a local lockdown this is not something, he is currently contemplating.

On the environment front KCC is issuing its Climate Change Risk assessment for Kent. We are also adopting the Energy and Low Emissions Strategy which sets out the high-level plan for reaching net-zero for Kent as a whole (we have a target of 2030 for KCC's own services and buildings).

Kent businesses can apply to trial an electric vehicle for up to two months to see how the switch to electric could benefit their business and Kent's environment. Kent

County Council has secured £1.5 million in funding from Highways England to provide 50 electric vans and 12 new electric vehicle charging points for the two-year scheme. Each business taking part, will receive a free report, showing how much money and emissions they could save by switching to electric vehicles. We can all play a role in helping the environment, improving air quality and reducing traffic noise by switching to electric. Once businesses have tried the electric vehicles, we expect many if not all to make a permanent switch. This is one of the many ways we aim to achieve net-zero emissions across the county by 2050.

Kent County Council have launched the Electric Vehicle charge-point scheme for Parish and Town Councils. This project is aimed at Parish and Town Councils who have ownership or use of village/town halls and community buildings. KCC install the charge point and receive a percentage of the revenue in return.

There will be the annual Nailbourne Stream Clean on Saturday 26th September.

There's more information on the KCC website and this is kept up to date.

Susan Carey

Member for Elham Valley, Kent County Council

District Councillors Reports– Stuart Peall

Food and drink businesses across the district wanting to make better use of outdoor areas can now apply for pavement licenses. The new fast-track procedure - which allows business owners to seek permission to have furniture such as chairs and tables on public highway outside their premises - will be administered by Folkestone & Hythe District Council (F&HDC). Powers have been granted to F&HDC by central government following the introduction of the Business and Planning Act 2020, which is designed to help the hospitality sector significantly impacted by the COVID-19 pandemic. The application process has a £100 fee and will take 10 working days. Successful applicants will be granted a licence for an initial six months and, upon renewal, could potentially be extended to the end of September 2021 for free. Applications will need to meet national guidelines - they include allowing a space of around 2.5 metres width for passing pedestrians, the provision of non-smoking seating, and the use of disability compliant barriers.

Pavement licenses will be subject to the conditions set out in the application form and may be revoked if they are broken.

Hythe Pool has reopened for the first-time last week with numerous measures introduced to ensure the safety of swimmers and staff. The facility in South Road has been closed since March as a result of the COVID-19 pandemic, with Folkestone & Hythe District Council working hard behind the scenes to ensure it could welcome back members of the public when the time was right.

Residents have the chance to put questions to the Leader of Folkestone & Hythe District Council at a special Q&A session being held later this month. Members of the public usually get an opportunity to raise queries at certain meetings, but the ongoing COVID-19 restrictions mean council business is currently being conducted virtually. The session are broadcast live on the council's dedicated YouTube channel

for public meetings. It can be found by visiting bit.ly/YouTubeMeetings Residents should email their questions to committee@folkestone-hythe.gov.uk

126/20 Consultations

- 1) After consideration it was **agreed** that a working group would compose a response to The Kent Downs ANOB draft Management Plan 2020-2025 to be approved at the September Ordinary meeting of the Parish Council.
- 2) It was **agreed** that Cllrs would respond individually to the KCC 2020/21 budget review.

127/20 Elham Village Hall/Newsletter

- 1) Following a meeting between the Chairman and the Elham Village Newsletter it was **agreed** that Cllr Lamb and Swan would attend a further meeting to discuss what the newsletter require from the Parish Council and how the Parish Council could assist them.
- 2) It was **agreed** to defer discussing the actions of the Parish Council in regards the newsletter until the September Ordinary meeting of the Parish Council.

128/20 Churchyard

We as a Parish Council, have a duty to maintain various aspects of the churchyard, part of that legal agreement is that all works taking place within the churchyard are notified in advance to the Parish Council. If someone commissions work without prior notice to the Parish Council, they may well find themselves personally liable.

The Chairman read an extract of Diocese of Canterbury –Closed Churchyard background information for Local Authorities: - *“Specific duties of the Local Authority, in this instance Elham Parish Council, the practical effect of the transfer of the PCC’s responsibilities for the maintenance and repair is that it is for the local authority to decide how and when and by whom the work shall be done, subject to obtaining the necessary faculty of the court.”*

If we, as a Parish Council, are to comply with our duties and spend public money maintaining the closed churchyard, we need the Church Management to embrace their legal responsibilities and work with the Parish Council for the benefit of this asset. The Church must keep the Parish Council fully informed of any future works that they are proposing. Failing this, it may be the case that liability, and any costs of reinstatement, may fall upon the church.

One of the issues the Parish Council has is, the soil being spread into the ground and seeds being sown. The Parish Council received an email from the Church Warden advising that they would formulate a plan to restore the area the spoil was spread over with a grass seed and wildflower mix. When a plan had been put together it would be issued to the Parish Council for their consideration and approval. This is not the case and the works were just carried out without prior approval.

The Church Warden advised that the first they knew about a complaint was two days after the contractor had spread the soil. The complaints were received prior to the contractors completing the works. Shortly after the contractors had completed their works, we sowed the seeds and erect barriers to stop the public walking on the area

to satisfy the requirements of the Parish Council. There was no intent of avoiding anyone, it was a case of 'get it done', especially as people had complained about the soil spread on the grass.

The Chairman re-iterated that the Parish Council and the Church need to communicate to avoid situations occurring in the future. It has been compounded by the poor issues of the site management, which is down to the architects and the building contractors. At the site meeting I spoke to the building contractor and it was agreed that they will manage the site in a better way. The Church have commissioned the work in a place that is our property. The Parish Council by law, are the occupiers of the Churchyard, that is the legal definition. We get the sense that the Church are resisting their duties to comply, if they don't want to comply how can the Parish be convinced to financially support it. If the general consensus is the Parish don't want to contribute, then we have a difficult situation. A number of people of the Parish are offended with what they have seen in the Churchyard.

If we can't get co-operation from the Church for something as simple as wildflower seed, when it comes to an important project such as the oil tank, it will be difficult to convince the Parish to make contributions. You must communicate with the Parish Council it is your duty.

A member of the Elham Historical Society (EHS) reported that he attended the aforementioned site meeting to put over the work that the EHS have been carrying out with regards the monument inscriptions for a number of years. The EHS were concerned to have seen the photographs that had appeared online. Following a visit to the Churchyard we were appalled at the way the monumental inscriptions had been treated, the photographs mirrored exactly what we saw, which is not the way the gravestones should be treated.

The Church Warden read out an email issued prior to the meeting to all Cllrs:
"The original intention was to lift the headstone and re-site it at the foot of the grave. Following careful exploratory work in the presence of the archaeologist from The Canterbury Archaeology Trust, it became apparent that moving the headstone would risk the collapse of the brick vaulted chamber beneath. After considering the damage that would result from disturbing the grave, the archaeologist and I agreed that the headstone should remain in situ. This decision was my responsibility as both the project administrator and the Inspecting Architect to the church and was not influenced by any attempt to save money or to suit the contractor."

The Chairman raised the issue that relocating the headstone is a condition of the approved planning permission. Personally, I do not understand why an architect and archaeologist are looking at this when a stonemason and engineer should be consulted. The advice I would have given the Parish Council is that a stonemason needs to look at the grave / headstone. I would suggest that to clear this issue up the Church gets three quotes and advice from a stonemason.

Cllr Chapman commented - "we are where we are, and we need to move forward. We all need to communicate."

The Church Warden advised they will instruct the architect to get quotes from stonemasons. They will report back people's dissatisfaction with the solution that the Canterbury Archaeologist Trust report suggested.

Cllr Stanyon commented - "I am feeling very sad about all of this. I see in front of me a lot of people who want to do the right thing. Maybe we are not communicating very well with each other. There is a danger of people falling out and we certainly do not want that to happen, so we need better communication. We need to try and put behind us what has happened to date and make sure going forward we go about this in a way that keeps everybody happy. Maybe we can start with a sensible conversation between all parties and get away from all of these issues."

Following the discussions between the Parish Council and the Church Wardens it was agreed that Cllr Chapman would attend the site meeting at 3pm on 4th August and report back at the September Ordinary meeting of the Parish Council.

The Clerk is to issue the Church Wardens with a copy of the Closed Churchyard background information.

129/20 Correspondence

The receipt of the below correspondence was **noted**:

Date	From	Contents	Action Required
7/07/20	FHDC Enforcement Officer	20/0166/CM Abbots Fireside.	Informative.
8/07/20	Boys & Maughan	Lease for The Gore now registered at Land Registry.	Informative.
13/7/20	KCC Steward	Overgrown trees to in Churchyard to 2 Vicarage Lane.	PC to monitor.
15/7/20	Elham Valley Walkers	Elham Valley Walking festival	Informative.
22/07/20	Woodlands Trust	Confirmation of grant application.	Informative.
27/07/20	Resident	Photos of the Church extension.	Informative.
27/07/20	Resident	Dog poo bins to Methodist church and war memorial.	Informative.
28/07/20	Resident	King George V rubbish.	Clerk responded.
28/07/20	FHDC Senior Arboricultural Specialist.	Date for site meeting. On leave until 24 th August.	Clerk to respond.
30/07/20	Resident	Photos of the Churchyard.	Informative.
30/07/20	Hopkins +	Defibrillator Aftercare.	Informative.
31/07/20	Elham Allotment partnership	New committee members.	Informative.

31/07/20	KCC Highway Manager	Steward will respond to Cllr Allen's email on return from leave.	Informative.
02/08/20	Elham Historical Society	Elham Churchyard	Clerk to respond.
03/08/20	FHDC Enforcement Officer	20/0166/CM Abbots Fireside update.	Clerk to respond.
03/08/20	Church Warden	Complaint towards Chairman	Clerk to respond.

130/20 Date of Next meeting and Close

An Ordinary meeting of the Parish Council will take place virtually on Monday 7th September 2020 at 7.30pm.

There being no further business the meeting closed at 10.18pm.

Appendix 1

July invoices for approval at August 2020 meeting

Payee	Cheque No.	Amount	VAT	Net	Comments
EDF	ONLINE	22.64	£0.00	22.64	The Gore, Elec.
Clerk salary **	ONLINE	£949.30	£0.00	£949.30	July Salary
Clerks expenses *	ONLINE	£70.38	£0.00	£70.38	July Expenses
HMRC **	ONLINE	£46.60	£0.00	£46.60	National Insurance
L. Robbins	ONLINE	£100.00	£0.00	£100.00	Internal Auditor
TOTAL		£1,188.92	£0.00	£1,188.92	

* Bacs / Card payment authorised by 2 Councillors

** Bacs / card payments authorised by 2 Councillors prior to meeting

*** Nest Direct Debit set up agreed with February 2019

© transaction authorised by Chairman prior to meeting